

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO. 481/2015
(Smt. Bharti w/o Jitendra Patnaik vs. The State of Maharashtra)

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

.....
Shri A. K. Saxena Advocate for applicant
Ms.N.P. Mehta, APP for respondent

CORAM: A.B.CHAUDHARI, J.
DATED : 14th December, 2015.

Heard learned counsel for the rival parties.
Seen the reply filed on behalf of the respondent-State.
Paragraph no.3 of the same reads thus:

“3. During the investigation the agreement dated 30.12.2014 executed by the complainant and Shri Mathur was procured. During investigation it surfaced that that the company has cheated as many as more than 20 persons of whose statements were recorded as also the documents i.e. respective agreement and documents pertaining to payment of Rs. 35,000/- by them to Chitransh Company were also procured. During investigation it transpired that the block where the company was running its office was taken on rent by the applicant and she has executed an agreement of lease with one Nuruddin Talib Amin on 21.8.2014. That the said agreement was seized by the Investigating Agency in presence of panchas. It is submitted that the investigation is still in progress and

for thorough interrogation custody of the applicant is necessary. It is submitted that the Chitransh Company has duped number of persons at various places in the similar manner and offences are registered against the Company at Nagpur, Bhandara, Akola, Chandrapur and Thane. It is submitted that the applicant is absconding since the date of registration of offence the block where the company was running its office is locked. It is submitted that the custody of the applicant is also required for the purpose of taking search of the said block in order to verify the number of persons with whom the company has made similar types of agreements and have accepted amount of Rs.35,000/- each from them.”

Thus, *prima facie* case against the applicant is made out.

Learned counsel for the applicant contended that the applicant is merely a servant, which is again a matter of investigation.

Criminal Application No.481/2015 stands rejected.

JUDGE

safare